

REMARKS

In the Office Action dated June 27, 2008 the Office imposed a restriction requirement under 35 U.S.C. §121 against pending claims and required that an election be made between one of the following groups:

Group I (claims 1-113, 127-166, and 176-181) drawn to natriuretic compounds and pharmaceutical compositions thereof, classified in class 514, subclass 2;

Group II (claim 114-123) drawn to a method of treatment, classified in class 514, subclass 2; and

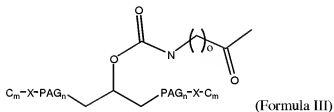
Group III (claims 122-12 and 167-175) drawn to method of making various natriuretic compounds, classified in class 530, subclass 330.

The Office concludes that the requirement for restriction is proper because the claimed inventions are distinct. In response, applicant elects Group I including claims 1-9, 11-12, 14-51, 86, 89-94, 96-98, 100-104, 105-113, and 176-181. Such election is WITH TRAVERSE.

Applicants request that when the product claims of the Group I are found patentable, all method and use claims of Groups II an III be examined through the rejoinder procedure in accordance with MPEP §821.04.

Applicants elect the following species:

The modifying moiety has a formula:

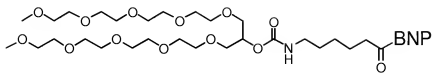


each C is independently selected and is an alkyl moiety having m carbons and m is from 1 to 20; and

each PAG is independently selected and is a polyalkylene glycol moiety having n subunits and n is from 2 to 25;

each X is independently selected and is a linking moiety selected from the group consisting of -C-, -O-, -C(O)-, -NH-, -NHC(O)-, and -C(O)NH-, and o is from 1 to 15.

The specific species is BN-021



BN-021 is a monoconjugate with the above branched oligomer covalently attached at Lys3.

BNP refers to human BNP (32 amino acids).

BN-021 is a monoconjugate with the above branched oligomer covalently attached at Lys 3 of human BNP, wherein the human BNP amino acid sequence is recited in SEQ ID NO: 73.

The elected species is covered under the scope of the following claims:

Generic claims 1, 156-159, species claims 2-9, 11, 23-29, 31, 40-41, 49, 86, 89-94, 96-98, 101-103, and 105-113.

Fees Payable

Applicants petition for a one month extension thereby extending the deadline of July 27, 2008 to August 27, 2008. The petition fee for one month extension is being paid electronically. If any additional fee is found due, the Commissioner is authorized to charge any deficiencies of payment associated with this Communication, or to credit any overpayment, to **Deposit Account No. 13-4365** of Moore & Van Allen, PLLC.

Respectfully submitted,
MOORE & VAN ALLEN PLLC

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